

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CELLULAR COMMUNICATIONS
EQUIPMENT LLC,

Plaintiff,

v.

HMD GLOBAL OY,

Defendant.

§
§
§
§
§
§
§
§
§
§

Case No. 2:20-CV-00078-JRG

JURY TRIAL DEMANDED

**UNOPPOSED MOTION BY HMD GLOBAL TO WITHDRAW ORIGINAL MOTION TO
TRANSFER UNDER 28 U.S.C. § 1404 TO THE SOUTHERN DISTRICT OF FLORIDA**

On September 22, 2020, HMD Global Oy Filed its Motion to Transfer of HMD Global Under 28 U.S.C. § 1404 to the Southern District of Florida. Docket No. 38. On September 30, 2020, plaintiff Cellular Communications Equipment LLC filed a motion for expedited discovery, Docket No. 43, which this Court granted on October 15, 2020. Docket No. 53. In that Order, the Court gave CCE “Sixty (60) days to complete the venue discovery” and required CCE “to respond to the Motion to Transfer within fourteen (14) days of the completion of venue discovery.” *Id.* HMD Global also took relevant discovery from CCE through two interrogatories, Nos. 11 and 12. *See* Docket No. 77-7.

On December 14, 2020, two weeks before CCE’s deadline to respond to HMD Global’s original motion, HMD Global filed its Renewed Motion to Transfer of HMD Global Under 28 U.S.C. § 1404 to the Southern District of Florida, updating its original motion to transfer to reflect facts developed through this discovery. Docket No. 77. Under L.R. CV-7(e), CCE’s

deadline to oppose this motion is December 28, 2020, the same date provided by this Court's order of October 15 for CCE to oppose HMD Global's original motion. *See* Docket No. 53.

In light of the superseding renewed motion, HMD Global's original motion is moot, except to the extent it establishes that HMD Global moved to transfer this action on September 22, 2020, which HMD Global notes in its renewed motion. *See* Docket No. 77 at 5.

For all the foregoing reasons, HMD Global does not expect CCE to respond to its original motion in addition to its renewed motion and, to avoid duplication and simplify the Court's docket, respectfully moves to withdraw the original motion in favor of the renewed motion.

HMD Global conferred with CCE, which stated that it would not oppose this motion.

Date: December 22, 2020

Respectfully submitted,

/s/ Deron R. Dacus

Deron R. Dacus

State Bar No. 00790553

The Dacus Firm, P.C.

821 ESE Loop 323, Suite 430

Tyler, Texas, 75701

+1 (903) 705-1117

+1 (903) 581-2543 facsimile

ddacus@dacusfirm.com

Matthew S. Warren (California Bar No. 230565)

Jen Kash (California Bar No. 203679)

Erika Warren (California Bar No. 295570)

Warren Lex LLP

2261 Market Street, No. 606

San Francisco, California, 94114

+1 (415) 895-2940

+1 (415) 895-2964 facsimile

20-78@cases.warrenlex.com

Attorneys for HMD Global Oy

CERTIFICATE OF SERVICE

I certify that on December 22, 2020, I filed the foregoing Unopposed Motion by HMD Global to Withdraw Original Motion to Transfer Under 28 U.S.C. § 1404 to the Southern District of Florida under Local Rule CV-5(a)(7) and served the foregoing document on all counsel of record through the Court's electronic filing system.

/s/ Deron R. Dacus

Deron R. Dacus